



OHIO LEGISLATIVE SERVICE COMMISSION

Bill Analysis

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S.B. 112

132nd General Assembly
(As Introduced)

Sens. Schiavoni, Williams, Sykes, Brown, Skindell, Yuko, Tavares

BILL SUMMARY

- Creates a grant program under which the Director of the Ohio Public Works Commission must provide financial, technical, and administrative assistance for the implementation of "large-scale green infrastructure improvement projects" to be completed on public land.
 - Requires the Director of Environmental Protection to assist the Director of the Ohio Public Works Commission in evaluating grant agreements before awarding grants.
 - Appropriates \$20 million in this fiscal biennium from the General Revenue Fund to finance the grant program.
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CONTENT AND OPERATION

Overview of the grant program

The bill creates a grant program under which the Director of the Ohio Public Works Commission must provide financial, technical, and administrative assistance for the implementation of "large-scale green infrastructure improvement projects." The bill states that large-scale green infrastructure improvement projects include projects such as dam removal, natural stream channel and floodplain restoration, storm water retention, wetland restoration, green streets, parking lots, roofs, large-scale urban reforestation projects, and rainwater harvesting. The bill also defines a large-scale green infrastructure improvement project as "a project that is largely self-sustaining and requires minimal future maintenance." (See **COMMENT.**) The bill requires that the projects be completed on public land.

The bill permits the Director of the Ohio Public Works Commission to enter into contracts and agreements for the purpose of making project grants. The bill states that these contracts and agreements may include grant agreements with federal, state, municipal, or other local government agencies, environmental nonprofit organizations, and universities.¹

Funding

The money for the grants is to come from the General Revenue Fund (GRF). The bill appropriates \$20 million for large-scale green infrastructure improvement project grants, half of which is to be transferred from the GRF to a "Green Infrastructure Fund" as soon as possible after the bill takes effect. The other half is to be transferred on July 1, 2018, or as soon as possible thereafter. The bill creates the Green Infrastructure Fund and requires that the fund consist of money appropriated to the fund and any payments, contributions, and donations made to the fund for large-scale green infrastructure improvement projects.²

Rules

The bill requires the Director of the Ohio Public Works Commission to adopt, in accordance with the Administrative Procedure Act, rules that establish all of the following:

- Criteria for evaluating projects;
- Application procedures and requirements for grants that include a process for review by the Director of Environmental Protection (the bill requires the Director of Environmental Protection to assist the Director of the Ohio Public Works Commission in evaluating grant agreements);
- Any other requirements and procedures that the Director of the Ohio Public Works Commission determines necessary to implement the bill's provisions.³

COMMENT

While the projects under the bill's grant program are called "large-scale green infrastructure improvement projects," the bill could be interpreted to allow grants for

¹ R.C. 164.11(A), (B), and (D).

² Section 2 and R.C. 164.11(A).

³ R.C. 164.11(B) and (C).

projects that are not large-scale, not "green," or that do not relate to infrastructure improvement. This is because the bill's definition of a large-scale green infrastructure improvement project does not explain how a project must be large-scale, "green," or related to infrastructure improvement. It merely states that a large-scale green infrastructure improvement project is "largely self-sustaining and requires minimal future maintenance." While the bill does provide examples of projects that are included in the bill's scope, some of the examples are not necessarily large-scale, "green," or related to infrastructure improvement (for example: "roofs"). Furthermore, the bill does not limit qualifying projects to the examples provided.⁴

HISTORY

ACTION

DATE

Introduced

03-21-17

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⁴ R.C. 164.11(D).

